

EXHIBIT J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOKOLOW, *ET AL.*,

Plaintiffs,

v.

PALESTINIAN LIBERATION ORGANIZATION, *ET AL.*,

Defendants.

04 Civ. 00397 (GBD) (RLE)

DECLARATION OF ALON EVIATAR

Alon Eviatar hereby declares pursuant to 28 U.S.C. § 1746, as follows:

1. The attached Expert Report of Alon Eviatar in *Sokolow v. Palestinian Liberation Organization*, Case No. 04-00397 (S.D.N.Y.), dated June 14, 2013, and corrected on September 29, 2013, is a true and accurate copy of the expert report that I submitted in the above-referenced case.

2. The attached expert report is a true and accurate reflection of my opinions in this matter, except for the opinions that are set forth in "Part Two—Terrorist Interrogations," which I subsequently withdrew.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



ALON EVIATAR

Dated: March 20, 2014

EXPERT REPORT OF ALON EVIATAR

SOKOLOV V. PALESTINIAN LIBERATION AUTHORITY, CASE NO. 04-397 (S.D.N.Y.)

I. INTRODUCTION

A. Credentials

I was born in 1967 and currently reside in Maccabim, Israel. I have an M.A. in Public Policy from Bar Ilan University (2011). I have a B.A. in Middle Eastern Studies and Political Science from Bar Ilan University (1994). I am fluent in Hebrew and Arabic and in English reading and comprehension.

Between 1986 and 1997, I served as an intelligence officer in the Intelligence Branch of the Israel Defense Forces (“IDF”), engaged in information gathering and analysis, with an expertise in military affairs.

Between 1998 and 2000, I served as an advisor on Palestinian Affairs in the Coordination and Liaison Administration in Nablus and Bethlehem. In 2000-2001, I studied at the IDF Command School. In the context of this course, I published a paper comparing the great Arab rebellion to the second intifada.

Between 2001 and 2004, I served as Commander of the Coordination and Liaison Administration in Jericho and the Jordan Valley. In this position, I managed communications with official and unofficial Palestinian sources in the region, the exercise of civil jurisdiction authority vis a vis the Palestinian Authority and the local population, the assessment of the situation in the region and provision of assistance to the security forces in fighting terror.

Between 2004 and 2013, I served as Head of the Department for Palestinian Affairs, at different times in Gaza and the West Bank, sometimes in the Civil Administration and sometimes in the Command for Coordination of Government Activities in the Territories (“COGAT”). During this period, I also participated in an intelligence course and I formed a special division dedicated to Hamas’s civilian infrastructure (the Dawa).

During the last nine years of my service in the IDF, I was a Department Head in the Department of Palestinian Affairs and held an IDF rank of Lt.Colonel. I reported to the Head of COGAT, above whom were only two people – the Minister of Defense and the Chief of Staff. In that position, I was responsible (among other things) for supervising the work of IDF research and assessment personnel in various fields relating to Palestinian affairs, drafting and presenting research and policy papers concerning Palestinian affairs, and appearing before and providing briefings to senior governmental and military forums regarding Palestinian affairs. I

funds cannot continue to exist, because the dispatch of operatives for the perpetration of terrorist attacks also involves considerable financial expenditures – if only for the purchase of arms and material. A terrorist organization needs the support of sympathizers, who serve as a source of personnel for the terrorist cells and the backbone of the organization. To this end, a terrorist organization requires a well-oiled system of branches, public relations, ideology, activity among youth and student groups, and the like. No less importantly, an organization needs to look after its people who have been imprisoned, sentenced, wounded or killed as well as their family members.

- 15 My expert opinion covers a series of subjects which have to do with the relationship between the PLO, the PA, Fatah and terrorism within Fatah, in order to illustrate the overlap between them, to point out the ways in which the struggle of terrorism has created a hegemony within Palestinian society, and to emphasize how these organizations operate for the purpose of encouraging and sustaining terrorism and providing the logistics for terrorist activity.
16. The PLO and PA operate funds to provide financial support the families of terrorist inmates.
17. **In my expert opinion, monetary grants and ongoing financial support for the families of terrorists who are killed, incarcerated, wounded or released from Israeli prisons constitute part of a system which promotes terrorism in the struggle against Israel by the PA and the PLO. The grants garner broad-based support among the population for the activities conducted by the PA and the PLO. By providing monetary grants to persons who were active in terrorism, the PA and the PLO convey the positive and supportive attitude for those who are at the forefront of the struggle and that the PA and the PLO will not abandon those who have worked to promote their goals. This gives terrorists an incentive to continue operating, based on the knowledge that, if they die or are wounded, the terrorist incident will not create a burden for their families, but rather the Palestinian leadership will continue to assist them.**
18. There are many sources for the funding that is paid by the PA and the PLO to terrorists who were killed, injured or incarcerated and their families.³⁹

V. PART FOUR - PLO/PA PAYMENTS TO TERRORISTS AND THEIR FAMILIES

1. From time to time, Yasser Arafat used to allocate funds from the presidential budget – as Mahmoud Abbas (hereinafter: “Abu Mazen”) does to this day to terrorist activities. On March 3, 2011, Abu Mazen budgeted \$2,000 to the family of a martyr, an Islamic Jihad

³⁹ See e.g. a discussion of British funds in: <http://www.inn.co.il/News/News.aspx/245979>

activist, Salam Mohamed Samoudi, a resident of Aliamoun, who sought to carry out a terrorist attack at an army checkpoint in the Jenin area.

2. The PA budget for payments to the families of *shahid* martyrs and security prisoners is approximately NIS 44 million per month.⁴⁰ Of that amount, NIS 18 million per month is spent on inmates' salaries and more than NIS 26 million per month goes to the families of *shahid* martyrs (that is, terrorists) – for a total of more than 6% of its budget.⁴¹ This was the case at least in May 2011.
3. The Welfare Fund for the Families of the *Shahid* Martyrs and the Wounded (hereinafter: the “Welfare Fund”) was established by the leadership of the PLO in 1965.⁴² It is headed by Umm Jihad whose real name is Intisar al-Wazir. She is the widow of Khalil al-Wazir (the commander of Fatah terrorist operations, who was eliminated by Israel in Tunis in April 1988). The Department was officially affiliated with the PLO in 1971; since then, it has been caring for the families of killed, wounded and incarcerated Palestinians throughout the world.⁴³ The monies of the Welfare Fund are allocated from the treasury of the PLO, which, since 1993, has been funded from the treasury of the PA. The function of the Department is to ensure the welfare of the families of killed, wounded and incarcerated Palestinians, with respect to both day-to-day existence and assistance in the areas of health and education.
4. Upon the establishment of the PA in 1994, Umm Jihad moved the main office of the Welfare Fund to Ramallah. In addition, the organization has branches in Jordan, Lebanon, Syria, Egypt and Iraq. Between 1994 and 2005, the Welfare Fund was part of the Ministry of Welfare of the PA; in other words, it officially belonged to the PA and was budgeted directly from the PA – specifically, from the budget of the Palestinian Ministry of Welfare, which was headed by Umm Jihad. Since 2005, when Umm Jihad's term as PA Minister of Welfare ended, the organization was again made subordinate to the PLO and now operates under the PLO umbrella. In my expert opinion, the Welfare Fund was returned to the PLO rubric in order to preserve the special status of Umm Jihad and to give her the honor appropriate to the status of her assassinated husband.
5. The Welfare Fund has 17 offices throughout the West Bank and the Gaza Strip. It provides funds and care to approximately 30,000 families of killed and wounded Palestinians in the territories and 23,000 additional families throughout the Arab world.

⁴⁰ <http://heb.rsliissak.com/archives/804>

⁴¹ <http://www.mako.co.il/news-military/security/Article-142424bb60d8931017.htm>

⁴² www.youtube.com/watch?v=RW05zgz3JNg

⁴³ <http://askry.net/?action=post&postid=10818>

The family of anyone who has been killed or wounded as a result of the conflict is entitled to receive a pension from that Fund.⁴⁴

6. The organization grants a monthly pension to the families of the killed and wounded; provides medical insurance, in coordination with the Palestinian Ministry of Health; provides free education, including higher education, for the orphans of Palestinians who have been killed, in coordination with the Palestinian Ministry of Education; and sends the children of families under its care to camps during the summer and school vacations.⁴⁵ It is emphasized that throughout the years, the Fund has enjoyed the support of the Palestinian leadership (Arafat, Abu Mazen, Salam Fiad) and even merited a budget increase by the PA government.
7. The definition of the term “*shahid* martyrs” includes scores of terrorists who committed suicide bombing operations, or who were killed while they were engaged in preparations for the perpetration of terrorist attacks.⁴⁶
8. Thus, for example, payments to the families of *shahid* martyrs, during the month of May 2011, came to a total of NIS 26,458,137.⁴⁷
9. Saddam Hussein, then-ruler of Iraq, granted monetary awards of up to \$25,000 per suicide bomber to the family members of suicide bombers as support for suicide terrorists. That money traveled through Fatah and the PA and constituted a central incentive to terrorist attacks by suicide bombers. Fatah’s support in transferring funds is equivalent to the adoption of an official position by the PA, Fatah and the PLO with respect to terrorist attacks by suicide bombers. Senior Fatah officials and members of the public also attended the August 2002 ceremony in Hebron in which these grants from Saddam Hussein were awarded.

VI. PART FIVE - THE PALESTINIAN MINISTRY OF PRISONERS’ AND RELEASED PRISONERS’ AFFAIRS

1. Upon its establishment, the PA created the Ministry of Prisoners’ Affairs, which was responsible for making efforts to improve the conditions of incarceration of the Palestinian

⁴⁴ <http://askry.net/?action=post&postid=10818>

⁴⁵ <http://askry.net/?action=post&postid=10818>

⁴⁶ <http://www.inn.co.il/News/News.aspx/240510> July 3, 2012

⁴⁷ <http://heb.rslissak.com/archives/804>

security prisoners in Israeli prisons;⁴⁸ looking after their families by paying them a monthly salary; providing assistance to the prisoners' children in the fields of health and education; rehabilitating the released prisoners; and providing the prisoners with legal aid.⁴⁹

2. The security prisoners in the Israeli prisons are considered by the PA as Palestinian civil servants and Palestinian military personnel. Issa Qaraqe, the PA's Minister of Prisoners' Affairs said: "They [the prisoners] are civilian civil servants and military personnel."⁵⁰ By virtue of that status, they are paid a salary which is sometimes much higher than that of Palestinian bureaucratic officials. The salary of a terrorist who has been sentenced to several concurrent terms of life imprisonment is likely to be as high as NIS 10,000 (roughly equivalent, in March 2013, to \$2600) per month. The salaries are paid to the terrorists' family members and are tax-exempt.
3. Section 3 of the Prisoners' and Released Prisoners Law, which was enacted in 1996 and amended in 2004, establishes the framework for benefits to prisoners:
 - a. Fulfilling all of the legal needs in order to assist the prisoner.
 - b. Granting the monetary rights to the prisoner and his family, pursuant to the various sections of the Law, and in a matter which is commensurate with the customary pay grade.
 - c. Providing the prisoner and his children with the possibility of acquiring an education.
 - d. Vocational training for released prisoners.
 - e. Securing jobs for released prisoners in accordance with criteria which take into account the years of the sentence served and the prisoner's education.
4. Pursuant to the Prisoners' and Released Prisoners' Law, 2004/19, – "Anyone who is imprisoned in Israel against the background of his participation in the struggle against the occupation" – is entitled to a salary. Until 2011, the salaries were relatively low. Thus, for

⁴⁸ On the security prisoners in Israeli prisons, see Ronny Shaked, "The Security Prisoners in the Israeli Prisons" [Hebrew], *Ro'im Shabas*, pp. 26-29. See: http://www.shabas.gov.il/NR/rdonlyres/0947556F-F6D6-49C9-B878-AC8737F8EA1B/0/Asirim_bithony_2326.pdf

⁴⁹ <http://www.freedom.ps/showRep.php?tbl=aboutus&id=1>

⁵⁰ Nadav Shragai, "Terrorism Pays" [Hebrew], *Israel Hayom*, August 26, 2011. <http://digital-edition.israelhayom.co.il/Olive/ODE/Israel/Default.aspx?href=ITD/2011/08/26>

example, a prisoner who had completed five years of incarceration received a salary of NIS 1,000 per month while a prisoner who had completed 25 years of incarceration received a salary of 4,000 per month. However, starting at the end of 2010, the Law was amended granting prisoners a considerable raise – in some cases, the raise was 300%. In an official document of the PA, signed by Palestinian Prime Minister, Dr. Salam Fayyad, the monthly remunerations were updated. Thus, for example, the update stated that a prisoner who had been incarcerated in an Israeli prison for a period of up to three years would receive a base salary in the amount of NIS 1,400 per month. Anyone serving a sentence of three to five years would receive NIS 2,000 per month – which is almost equivalent to an average salary in the PA. The entitlement to receive money is extended to all prisoners, irrespective of the severity of the offense which they had perpetrated or the organization to which they belong.⁵¹ Pursuant to the Prisoners' and Released Prisoners' Law, every prisoner who is serving a prison sentence of more than 25 years is entitled to a monthly pension of NIS 4,000, a grant in the amount of \$10,000 upon his release, and a position with the status of Undersecretary in the PA – that is, a senior position with a high salary.

Following are the amounts of the salaries which the PA pays to security prisoners:⁵²

- Terrorist serving 1-3 years: NIS 1,400 per month.
- Terrorist serving 3-5 years: NIS 2,400 per month.
- Terrorist serving 5-10 years: NIS 4,000 per month.
- Terrorist serving 10-15 years: NIS 6,000 per month.
- Terrorist serving 15-20 years: NIS 7,000 per month.
- Terrorist serving 20-25 years: NIS 8,000 per month.
- Terrorist serving 25-30 years: NIS 10,000 per month.
- Terrorist serving 30 years or more: NIS 12,000 per month.

Following are the ancillary payments made by the PA under specified circumstances:

⁵¹ <http://www.mako.co.il/news-military/security/Article-142424bb60d8931017.htm>

⁵² <http://heb.rslissak.com/archives/804>


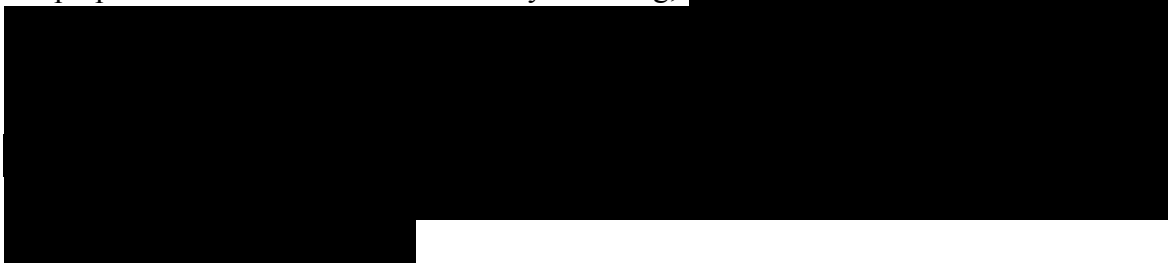
- Married terrorists receive a supplement of NIS 300 per month.
 - Terrorists with children receive a supplement of NIS 50 per child per month.
 - Terrorists from East Jerusalem who are incarcerated in Israeli prisons receive a supplement of NIS 300 per month.
 - Terrorists who are Israeli Arabs who are incarcerated in Israeli prisons receive a supplement of NIS 500 per month.
5. As noted above, terrorists who hold Israeli citizenship –referred to in the PA as “internal Arabs” – receive higher salaries than those of terrorists with otherwise identical particulars who hold Palestinian citizenship.⁵³
 6. In May 2011, security prisoners who were detained or serving sentences in Israel received salaries in the total amount of NIS 17,678,247 – an amount which represents approximately 2.5% of the “Salaries” item in the budget of the PA. The allocations to the families of *shahid* martyrs within and outside the PA totaled NIS 26,458,137, 3.5% of the “Salaries” item. The majority of the security prisoners’ salaries were paid in the West Bank; the lion’s share of the allocations to the families of *shahid* martyrs was paid in Gaza. The average monthly salary of a security prisoner is NIS 3,129.
 7. The conditions of incarceration which are enjoyed by security prisoners in Israeli prisons include a large number of benefits paid for by the PA Ministry of Prisoners’ Affairs.⁵⁴ Among other things, security prisoners benefit from 12 cable TV channels, a television in

⁵³

<http://www.jcpa.org.il/Templates/showpage.asp?FID=762&DBID=1&LNGID=2&TMID=99&IID=25289>

⁵⁴ See Amit Cohen, “Feasting and Free Internet: the Good Life of Terrorists in Prison” [Hebrew], *Maariv*, June 15, 2011. <http://www.global-report.com/disillusion/a1135-%D7%A8%D7%95%D7%97%D7%95%D7%AA-%D7%A9%D7%97%D7%99%D7%AA%D7%95%D7%AA-%D7%95%D7%90%D7%99%D7%A0%D7%98%D7%A8%D7%A0%D7%98-%D7%97%D7%95%D7%A4%D7%A9%D7%99-%D7%94%D7%97%D7%99%D7%99%D7%9D-%D7%94%D7%98%D7%95%D7%91%D7%99%D7%9D-%D7%A9%D7%9C-%D7%94%D7%9E%D7%97%D7%91%D7%9C%D7%99%D7%9D-%D7%91%D7%9B%D7%9C%D7%90>

every cell, extra meat, *baklawa* pastry, fruit and vegetables, prime-quality olive oil and various delicacies, which the PA sends into the prisons, as well as newspapers and magazines from all over the world.⁵⁵ Security prisoners can earn a secondary school matriculation certificate, at the PA's expense, while incarcerated. In recent years, these benefits have encouraged Palestinian youth to instigate violent activities (stone throwing and throwing of Molotov cocktails) directed at Israeli targets in the West Bank, in order to be arrested and enter the Israeli prisons.⁵⁶

8. The PA deposits money each month for the benefit of the prisoners, in order to improve their quality of life in prison. The money in question is deposited into the prisoners' accounts in the prisons, and is used by the prisoners to purchase various products.⁵⁷
9. The PA paid (the practice was stopped recently by Israel) for higher education for the prisoners. In 2010, 210 security prisoners pursued a higher education through the Open University of Israel.⁵⁸ According to a report issued by the PA in 2013, approximately one quarter of the prisoners are studying to complete their secondary school matriculation certificate or are pursuing higher education.⁵⁹
10. To illustrate, Abdallah Barghouti, a member of Hamas, who murdered 66 Israelis and was the perpetrator in the Hebrew University bombing, 

11. Similarly, each of the murderers of the Fogel family – there were five victims, ranging in age from 36 years to just 3 months, each was stabbed to death in their home – from the

⁵⁵ See an illustrative short film at <http://www.hakolhayehudi.co.il/?p=54554>

⁵⁶ See Hamas Terrorists Wanted Jail to 'Earn' PA Salary, Israel National News, February 14, 2012, P1:482.

⁵⁷ <http://www.myrighs.co.il/%D7%96%D7%9B%D7%95%D7%99%D7%95%D7%AA-%D7%90%D7%A1%D7%99%D7%A8%D7%99%D7%9D-%D7%91%D7%99%D7%98%D7%97%D7%95%D7%A0%D7%99%D7%99%D7%9D/>

⁵⁸ <http://www.nrg.co.il/online/1/ART2/427/535.html>

⁵⁹ <http://www.heskem.org.il/media-view.asp?id=2282&meid=97>

settlement of Itamar began his sentence with a salary of NIS 1,400 per month from the PA; over time, their incomes will increase to NIS 12,000 per month each.⁶⁰

12. **In my expert opinion, it is clear (and the statement of PA Minister Issa Qarage referred to above confirms) that the prisoner's salary, which is transferred to his family, is not simply a social welfare benefit to relieve economic distress, but is intended as compensation for carrying out the terrorist operation. The salary is derived from the nature of the terrorist operation, the period of imprisonment which was pronounced in the court sentence, and the terrorist's citizenship. It does not vary according to economic need.**
13. In addition, funds which do not come from the treasury of the PA, but which are in the nature of encouragement and support by the PA and the PLO and their leaders, are paid to terrorists, released prisoners and their families. Following are a number of examples:

- a. On November 1, 2005, a festive ceremony took place in the Gaza Strip, in which the "Al-Ansar Charitable Society" distributed the amount of \$1 million. This amount was donated by Iran to the families of *shahid* martyrs (that is, terrorists), whose homes had been demolished, and to families of prisoners in the Gaza Strip. The ceremony took place under the patronage of Abu Mazen (AKA PA President Mahmoud Abbas), who was represented by Hisham Abd al-Razaq, a former Minister of Prisoners' Affairs, and was attended by a number of members of the "Legislative Council." Abd al-Razaq gave a speech on behalf of Abu Mazen. The Al-Ansar Society is an Islamic charitable society, which was founded in 2001. Two years later, Israel declared it to be a "proscribed organization". The Society is active in the Gaza Strip, maintains close ties with Iran, and constitutes a Palestinian extension of the Iranian "Casualties' Fund". The Society is subordinate to the "Martyrs' Institution" in Lebanon, which belongs to Hezbollah and funds the families of "martyrs" in the Gaza Strip to this day.

Nasr al-Sheikh, the Chairman of the Al-Ansar Society, stated at the ceremony that the "Casualties' Fund", which operates in Iran, also extends its patronage to all of the families of *shahid* martyrs who fell in the defense of the Palestinian soil. According to his statement, since the beginning of the conflict, the Society has assisted approximately 3,996 *shahid* martyrs (\$5,000 to each of their families) and 200 prisoners (\$1,000 to each prisoner). In addition, according to his statement, the Al-Ansar Society pays monthly salaries to the families of

⁶⁰ <http://www.mako.co.il/news-military/security/Article-142424bb60d8931017.htm>

1,940 martyrs, in amounts which range from \$75 for the son of a *shahid* martyr to \$250 for a *shahid* martyr who was married.⁶¹

- b. A member of the Legislative Council on behalf of Fatah, Abbas Zaki, who also serves as a member of the Fatah Central Committee, participated in a ceremony in Hebron in August 2002, in which the amount of \$10,000 – a grant from Saddam Hussein, then President of Iraq – was granted to the families of 12 *shahid* martyrs. At the ceremony, Abbas Zaki presented a detailed analysis of the admirable leadership qualities of Saddam Hussein, which, he said, were worthy of imitation. Zaki also analyzed the qualities of militancy and leadership which had characterized the *shahid* martyr Marwan Zaloum (who had been the commander of the al Aqsa Martyrs' Brigades in Hebron), "whose eyes were always raised toward martyrdom and not toward [the attainment of] any position."⁶²
- c. A report on the activity of Orient House (i.e. PA/PLO headquarters) in Jerusalem, pursuant to the examination of thousands of documents and recordings which were seized in the building, indicates that the PA, acting through societies administered by Orient House and donations from Saudi Arabia, provided assistance to the families of suicide bombers and served as an incentive to suicide bombing operations.⁶³
- d. In June 2001, Arafat granted the amount of \$5,000 to the terrorist Lamia Maarouf, a member of Fatah who had been released from prison. She had been detained in connection with the kidnapping and murder of a soldier in 1987.⁶⁴
- e. Marwan Barghouti, the Secretary of Fatah in the West Bank, funded the families of terrorist activists pursuant to requests by Arafat. In his interrogation, he stated that he had forwarded requests for assistance from the families of suicide bombers to Arafat, and even justified his request by saying that there was no difference between the suicide bomber and a person who had been killed; as he

⁶¹ <http://www.inn.co.il/News/News.aspx/128434>

⁶² http://www.memri.org.il/cgi-webaxy/sal/sal.pl?lang=he&ID=107345_memri&dbid=articles&act=show3&dataid=1339

⁶³ <http://dc.fresh.co.il/Scoops/77651.html>

⁶⁴ http://www.terrorism-info.org.il/Data/pdf/PDF1/sib5_3_04_202476748.pdf

saw it, they were all *shahid* martyrs. In addition, Barghouti arranged for funding for the families of detainees and wanted persons who were Fatah activists.⁶⁵

- f. On February 3, 2011, the Governor of Jenin, Qadura Musa, a senior member of Fatah, issued a grant on behalf of the Office of the [Palestinian] President to the family of the 24 year old *shahid* martyr Salem Muhammad Samudi from the village of al-Yaamun, west of Jenin. The governor stated that the grant represented financial assistance in the amount of \$2,000, “which the President [Mahmoud Abbas] had granted to the family of the casualty, who was shot and killed last month by soldiers at the military checkpoint near the entrance to the settlement of Mevo Dotan, south of Jenin.”⁶⁶
- g. Each of the prisoners who were released in the Gilad Shalit deal was given a grant in the amount of \$5000, allocated from the treasury of the PA. A total of \$5 million was paid out.⁶⁷ The recipients of the grants included members of Hamas⁶⁸ and the Islamic Jihad, who had murdered or wounded Israelis.⁶⁹

14. Palestinian law guarantees certain terrorist prisoners a position in the PA government. Section 3 of the Palestinian Prisoners’ Law states as follows:

⁶⁵ See Section 70 of the ruling in Criminal Terrorism File 1158/02 (Tel Aviv District Court): http://www.psakdin.co.il/fileprint.asp?filename=/plili/private/ver_bvtn.htm

⁶⁶ Published in the Palestinian newspaper *al-Quds*, February 3, 2001. Cited in <http://www.jcpa.org.il/JCPAHeb/Templates/showpage.asp?FID=762&DBID=1&LNGID=2&TMID=99&IID=25259>

⁶⁷ <http://hebrew.trib.ir/news/politic/item/162807-5000-%D7%93%D7%95%D7%9C%D7%A8%D7%99%D7%9D-%D7%9C%D7%9B%D7%9C-%D7%90%D7%A1%D7%99%D7%A8-%D7%A4%D7%9C%D7%A1%D7%98%D7%99%D7%A0%D7%99-%D7%9E%D7%A9%D7%95%D7%97%D7%A8%D7%A8>

⁶⁸ Ziad Abu Ain, Deputy Minister of Prisoners’ and Released Prisoners’ Affairs in the PA, stated in an interview to the “On the Table” program of the Palestinian television network *Ma’an (al-Bayan)*, December 27, 2009) that the total amount which is allocated by the PA from its salary budget for released prisoners who are members of the Hamas movement comes to approximately NIS 4 million (per month). This amount, according to his statement, accounts for approximately 70% of all salaries and assistance grants which are paid by the Ministry of Prisoners and Released Prisoners in the West Bank. Cited in <http://www.maannews.net/arb/ViewDetails.aspx?ID=249973&MARK>

⁶⁹ Published in *al-Hayat al-Jadida*, the official journal of the PA, on December 28, 2011. Cited in <http://www.palwatch.org.il/main.aspx?fi=448&page=5>

Every released prisoner has the right to be promised a position in one of the government ministries or the organizations of the Authority, provided that the following conditions apply to him:

- a. He has served a sentence of five years' imprisonment or more as a result of his struggle against the occupation [(i.e. Israel)], whether that sentence was served all at once or in separate periods of time.
 - b. The period / periods in question must be documented in official documents which are issued by the Red Cross, or documentation by the office in charge of the case, proving the veracity of his imprisonment.
 - c. Prisoners who were detained in the past, or were detained in Arab prisons, against the background of the struggle on behalf of the [Palestinian] problem, and who are not in possession of official documents issued by the Red Cross, are entitled to obtain [a document] from the Minister which confirms and verifies the detention.
 - d. The released prisoner does not work for an official or non-government institution, from which he receives a regular salary.
 - e. He does not have any other source of income, whether from trade or from the operation of a workshop or factory or an office for the provision of services, from which he receives an adequate salary.
 - f. He does not own any land or real estate or other assets which give him a permanent income that enables him to live with dignity.
 - g. On an exceptional basis, the same terms shall apply to female prisoners who served a sentence of not less than two and one half years' imprisonment, and this salary shall be stopped when the female prisoner in question obtains employment.
15. The Ministry of Prisoners' Affairs also arranges for prisoners to be "rehabilitated" after their release. The rehabilitation is provided through monetary grants, which are primarily

intended to enable the former prisoner to enter a profession. The principal form of assistance, however, is the granting of positions to security prisoners within the bureaucracy of the PLO, the PA or Fatah, and primarily by recruiting the prisoners into the Palestinian security organizations. The “rehabilitation” is carried out in coordination with the various government ministries. Thus, for example, the PA announced a program for the absorption of released prisoners: on May 26, 2010, the newspaper *al-Ayam*, which is published in Ramallah, reported on a program by the Minister of Agriculture, Dr. Ismail Daik, in cooperation with the Ministry of Prisoners’ and Released Prisoners’ Affairs, the purpose of which was to find employment for 2,000 prisoners who had been detained for periods not in excess of five years. The proposal was put before the Government and its Prime Minister, Dr. Salam Fayyad, for deliberation and decision. The Minister of Agriculture clarified that the program would include the grant of loans to released prisoners, for the purpose of improvement of Palestinian soil, which could then be used to increase the harvest.⁷⁰

16. After the conclusion of his sentence of imprisonment, each released Palestinian prisoner receives a salary for six months, until he is given an official position in the institutions of the PA. Each prisoner who served more than five years’ imprisonment receives an allowance in the amount of NIS 1,200-2,000, which continues without interruption until he is given a position.⁷¹
17. The PA also arranges for accommodations for released prisoners. In November 2011, the PA announced that it would build residential units for released prisoners.⁷²
18. The Israel Security Service Agency believes that the monies in question constitute a motive for the perpetration of terrorist acts. A report by the Israel Security Service Agency on suicide bombings stated as follows:

The headquarters of the terrorist organizations initiate and control terrorist activity by transferring large amounts of money to terrorist activists on the ground, who earn their living by directing terrorist activity and do not necessarily operate on the basis of purely ideological motives. In many cases, the perpetrators who are recruited to carry out suicide bombings are Palestinians with financial or social problems, who agree to carry out the terrorist attack in exchange for a promise that the

⁷⁰ <http://www.heskem.org.il/media-view.asp?id=2282&meid=97>

⁷¹ <http://www.inn.co.il/News/News.aspx/198342>

⁷² <http://www.mako.co.il/news-channel2/Weekend-Newscast/Article-012195aa8457331017.htm>

terrorist organization, in the name of which they were sent out, **would ensure their families' financial welfare after their death**" (emphasis added).⁷³

19. **In my expert opinion, money is an incentive for terrorist operations in Palestinian society. When a terrorist knows that, after his death, his family will receive not only honor, but also the payment of a monthly salary and other benefits, he knows he will be able to rely on the PA to continue to support his family. The granting of the financial assistance and the considerable public coverage of such grants by the Palestinian media, which is recruited to cover all aspects of such payments, ensure that the payments become a tool for encouraging enlistment in, and assistance of, terrorism.**
20. **In my expert opinion – the monthly salary, the monies paid into the prisoners' canteen accounts, the fact that their families are cared for – as well as the incarceration of several terrorists in a shared cell, in order to reinforce social and organizational cohesion, and the ties existing between security prisoners and their cohorts outside of the prison, all make it easier for prisoners to intensify their ideological commitment and return to terrorist activity upon their release. Between 1993 and 1999, a total of 6,912 terrorists were released, of whom 854 (12.4%) had been previously arrested for murderous terrorist activity (as of August 2003). According to various estimates of the security services, between 40% and 50% of the released terrorists have returned to terror activities of some kind – attacks, financing, logistics, organization and more.**
21. **In my expert opinion, the very fact that official representatives on behalf of the PA participate in the distribution of monies to the families of terrorists who have been killed not only legitimizes terrorism, but also encourages the general public to follow in the footsteps of the killed terrorists.**
22. **In my expert opinion, the support for the families of terrorists to have been killed, wounded and incarcerated expands the support of terrorism and exploits money as a tool for globalization of terrorism and the terror network. A terrorist who perpetrates terrorist attacks is aware that his family will receive money after his imprisonment, death or injury. This knowledge naturally increases young people's motivation and willingness to join the ranks of terrorism.**

⁷³ ISA, Pamphlet on Suicide Bombers

23. **In my expert opinion, one of the overt operations carried out by the PA in order to encourage terrorism is the monthly support which is provided to the families of terrorists who are serving sentences in Israeli prisons for terrorist operations. The support is provided in the form of a monthly salary and additional benefits, similar to those received by employees of the PA. The payment makes no distinction among the various organizations. Activists in Fatah, Hamas or al-Qaeda receive similar amounts from the PA treasury. The payment is made by the Finance Department of the Ministry of Prisoners' Affairs in the PA.**
24. **In my expert opinion, the fact that prisoners are guaranteed a fixed salary, which is higher than those of other civil servants in the PA, along with other social benefits, provides incentive and motivation to join, and reward for joining, the ranks of terrorism, especially in the context of a reality which involves living at a low socioeconomic standard and in protracted poverty.**

VII. PART SIX - THE RELEASE OF TERRORIST PRISONERS BY THE PA – THE “REVOLVING DOOR” POLICY

1. Based on the analysis and statistics discussed herein, it is clear that the PA treats terrorist operatives as freedom fighters, not terrorists. Terrorists who attack Israel or Israelis are not tried for a criminal offense in a PA court; rather, they are prosecuted pursuant to the Harm to Palestinian Interests Law. The PA treats terrorist prisoners differently than it treats criminal prisoners, and the PA releases terrorist prisoners at the earliest possible opportunity, even though the arrest of such prisoners and the demand to put them on trial results from pressure by Israel.⁷⁴ In the case referred to in the footnote, the prisoners were sentenced to 7 years in prison for the murder of two Israelis in Wadi Qelt.
2. In cases where arrests have been made by the Palestinians, it is evident that the purpose was to show Israel and the Americans that the Palestinians are engaged in true preventive activity. In actual fact, however, a considerable proportion of the arrested persons are quickly released after superficial handling of their cases and with the imposition of no real deterrence against future terrorist attacks.
3. The PA customarily releases security prisoners within the framework of what has been referred to as a “revolving door” policy. Within the framework of that policy, the security organizations of the PA have frequently arrested terrorist activists in order to misrepresent to Israel and the United States that the PA governmental organizations were engaged in

⁷⁴ See *e.g.* page 3 of a report by B'Tselem on the arrest and trial of Popular Front activists: <http://www1.idc.ac.il:549/2004/10883.pdf>